

Pkg file in MFR
OLC 78-3060/2
24 October 1978

MEMORANDUM FOR THE RECORD

SUBJECT: House Appropriations Committee and Senate Appropriations
Committee Response Regarding Space Rental

1. On Wednesday, 18 October 1978, I called Charles Snodgrass, HAC staff, and Jim Fellenbaum, SAC staff, and asked if they had any response to the matter of proceeding with new space rentals. Both said they felt we could proceed with the rentals. Both also indicated there would be no formal response to the Director's letter of 5 September 1978 on this subject. In briefing these gentlemen in mid-September, we had indicated that a formal response to the Director's letter was unnecessary.

2. I take these informal responses to be a concurrence to the position taken by the Director in his letter of 5 September that in enacting FY-1979 appropriations for CIA the House and Senate Appropriations Committees did include funds for the acquisition of additional space.



Office of Legislative Counsel

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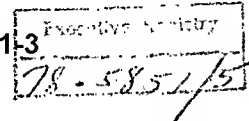
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The Director
Central Intelligence Agency

Approved For Release 2004/07/16 : CIA-RDP81M00980R000600290011-3



Washington, D.C. 20505

5 SEP 1978

SAC.

OLC #78-3060/17

✓ The Honorable Warren G. Magnuson, Chairman
Committee on Appropriations
United States Senate
Washington, D.C. 20510

The Honorable George H. Mahon, Chairman
Committee on Appropriations
House of Representatives
Washington, D.C. 20515

Dear Mr. Chairmen:

In the process of acquiring critically needed leased space in the Metropolitan Washington Area, an issue has been raised by the General Services Administration (GSA), the resolution of which makes coordination with your Committees appropriate.

During hearings on the Agency's FY 1977 budget requests, then Director Bush explained to your Committees CIA's critical requirement for additional office space in the Metropolitan Area. Much of this requirement stems from the need to convert office space to machine space for computer programs, such as SAFE, ADSTAR, and CAMS which have been approved previously by your Committees. In fact, our needs are more critical now than when first explained by Director Bush because of the incessant demands of the machine and the realignment of a number of Agency functions dictated in part by the events of the past two years. Due to an Executive moratorium imposed on acquisition of space, this requirement has been carried over into each succeeding fiscal year. GSA has recently acquiesced to repeated Agency requests and has advised it is willing to proceed with the acquisition in FY 1979, such acquisition, however, being subject to the prospectus requirements established by the Public Buildings Act of 1959, as amended. Thus, the question is raised whether this acquisition should be specifically authorized by the Public Works Committees, in addition to being authorized as part of the National Foreign Intelligence budget. My concern with the additional reviewing process is that all evidence indicates that preparation of the prospectus in coordination with GSA and the Office of Management and Budget,

plus scheduling and completion of hearings, will delay occupancy of the space until the 1981 time frame. This delay will of course have a disastrous effect on implementation of the already approved computer systems for intelligence targeting and dissemination.

It is my understanding that your Committees intend that the cited funds for space acquisition included in the FY 1979 budget be available for expenditure without need for further authorization. With your concurrence, when such funds become available, I intend to advise GSA that the long-planned acquisition of approximately [] square feet of leased space may proceed without the necessity for further review by the Public Works Committees.

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Yours sincerely,

/s/ Stansfield Turner

STANSFIELD TURNER

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8 SEP 1978

NOTE FOR: Deputy Director for Administration

STAT FROM: [REDACTED]
Acting Director of Logistics

Jack:

STAT 1. [REDACTED] of OLC telephoned RECD on 7 September to advise of a call from a Mr. Fellenbaum (phonetic), senior staff officer of the Senate Appropriations Committee, re the prospectus avoidance of [REDACTED] square feet of additional space. Per Mr. Fellenbaum, the similar process used with SAFE was considered as a one-time exercise and had been difficult to push through the staff of the Public Works Committees. He apparently was substantially less than enthusiastic about this latest action. He asked for answers to the following questions:

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- Q. If the acquisition had been delayed since 1975, why had we not started prospectus then?
- A. At the time the request was submitted, we were beneath prospectus limits.
- Q. When was the freeze of space acquisition listed?
- A. Sometime prior to the date our letter to GSA was submitted (circa July 1978). Agency personnel noticed GSA space ads in the newspaper.
- Q. Why does it take 18 months to 3 years for a prospectus?
- A. These are the numbers given by GSA. (Note here that we did not specify in the letter to the committees the specific time frame for prospectus. It is reported by GSA that 12 to 18 months is an optimistic estimate. The three-year time frame cited in question includes time required for acquisition, alteration, and occupancy.)

Q. What is the impact if a three-year delay is involved?

A. Undoubtedly, major, although technical offices should respond because the delay will involve postponement of SAFE/ADSTAR, etc. Note here that a more formal response should avoid tying necessity exclusively to SAFE/ADSTAR, which represents less than half of the requirement. The response should dwell most heavily on current space utilization ratios [redacted] per person) compared to Federal averages [redacted] ft. per person). These statistics should be tied to loss of flexibility, inability to absorb NITC special committees, and the SAFE/ADSTAR et al technical systems.

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2. On 8 September, [redacted] called again to advise that Mr. Fellenbaum desired a meeting on Monday or Tuesday and that Mr. Snodgrass of the House Appropriations Committee wanted to be present. With this information, OL contacted [redacted] Office of the Comptroller, to alert him of the pending meeting. Discussions were held with [redacted] regarding the advisability of having technical or NFAC representatives available to discuss the SAFE/ADSTAR delay impact. The preliminary agreement was that it would be inadvisable to open the SAFE issue anew and that our case should rest on the position noted in the last question of the previous paragraph.

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3. It is believed that a key issue in the pending meeting may be the legal necessity of Public Works review of Agency appropriations as well as the political considerations of additional oversight of Agency activities. Accordingly, it is recommended that an OGC representative also attend the meeting.

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